UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,023	12/02/2003	Ken Tanzillo	384.7854USU	2672

7590   05/24/2010

Paul D. Greeley, Esq.
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
10th Floor
One Landmark Square
Stamford, CT 06901-2682

EXAMINER
NGUYEN, NGA B

ART UNIT	PAPER NUMBER
3684	

MAIL DATE	DELIVERY MODE
05/24/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *31 December 2009*.
2a) ☐ This action is **FINAL**.　　　　2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-10 and 15-24* is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-10 and 15-24* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All　b) ☐ Some * c) ☐ None of:
　　　　1. ☐ Certified copies of the priority documents have been received.
　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

December 31, 2009 has been entered.

2.   Claims **1-10 and 15-24** are pending in this application.

Response to Arguments/Amendment

3.   Applicant's arguments with respect to claims 1-10 and 15-24 have been

considered but are moot in view of new grounds of rejection.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-7 and 15-23 are rejected under 35 U.S.C. 102(e) as being anticipated

by Tilton, U.S. Patent No. 6,654,727.

Regarding to claim 1, Tilton discloses a system for assessing risk, comprising:

a processor; and

a medium that contains instruction that when read by said processor (*column 12,*

lines 45-55, database software), cause said processor to provider functions of:

(a) a user interface to receive requests and customer account information to

be stored in a portfolio in a first database (*column 7, lines 40-60, a tentative portfolio of*

at least 30% distressed commercial credit facilities is selected for sale by a lender;

tentative portfolio is obtained by the collateral manager from the lender and stored in a

database);

(b) a risk assessment manger that provides application functions, services

and portfolio analysis based on said requests (*column 10, line 10-column 11, line 45,*

analyzing the tentative portfolio);

(c) a data integration component that provides access to at least a second

database (*column 13, lines 25-65, due diligence loan documentation materials obtained*

by the collateral manager from the lender for each credit facility); and

(d) a corporate linkage component that provides to said risk assessment

manager, a total investment in accounts receivable with a company and its related

companies, for user by said risk assessment manager in determining a total risk

exposure based on said portfolio (*column 20, lines 28-40, the database model for each*

credit facility includes the balance sheet data for the borrower as of the last day of the

applicable fiscal period: a field for the accounts receivable of any related parties to the

borrower (e.g., parent company, joint venture partner)).

Regarding to claim 2, Tilton further discloses wherein said risk assessment

manager comprises: a scoring component that provides a risk score based on said

portfolio (*column 10, lines 18-20, a Moody's diversity score of at least 25*).

Regarding to claim 3, Tilton further discloses wherein said risk assessment

manager comprises: a transfer component to import and export data to and from said

first database (*column 12, lines 45-55, any suitable spreadsheet or accounting,*

financial, or database software (e.g., Microsoft Excel, Microsoft Access, etc.) may be

sued to facilitate the input of the data and to perform the calculations).

Regarding to claim 4, Tilton further discloses where said data integration

component enhances said customer account information, provides entity matching for

said customer account information, and/or provides data products (*column 14, line 15-*

column 17, line 45, database model include borrower account information and loan

information).

 Regarding to claim 5, Tilton discloses a computer system for assessing risk,

comprising:

a processor; and

a medium that contains instruction that when read by said processor (*column 12,*

lines 45-55, database software), cause said processor to provider functions of:

a portfolio analysis component that analyzes a portfolio of customer

accounts, provides a total investment in accounts receivable with a company and its related companies, and provides a data product containing a financial profile based on said portfolio (*column 10, line 10-column 11, line 45, analyzing the tentative portfolio; column 20, lines 28-40, the database model for each credit facility includes the balance sheet data for the borrower as of the last day of the applicable fiscal period: a field for the accounts receivable of any related parties to the borrower (e.g., parent company, joint venture partner)*); and

a common decisioning component that automatically provides a credit decision based on said portfolio and user-defined rules and/or polices (*column 31, line 35-column 32, line 50, a determination may be made from the final equity kicker information in the cash flow grid for each loan and for each monthly activity record*).

Regarding to claim 6, Tilton further discloses wherein said common decisioning component comprises: a setup component that receives said user-defined rules and/or policies (*columns 28-30*).

Regarding to claim 7, Tilton further discloses a configuration console component that provides administrative functions and security; wherein said administrative functions include an import function, an export function; and/or a score calculating function (*column 10, lines 18-20, a Moody's diversity score of at least 25; column 12, lines 45-55, any suitable spreadsheet or accounting, financial, or database software (e.g., Microsoft Excel, Microsoft Access, etc.) may be used to facilitate the input of the data and to perform the calculations*).

Regarding to claim 15, Tilton further discloses a computer-implemented method of assessing risk, which comprises:

enhancing, by a processor, data in a portfolio of customer accounts by a quality assurance process that includes applying corporate linage information that provides a total investment in accounts receivable with a company and its related companies (*column 7, lines 40-60, a tentative portfolio of at least 30% distressed commercial credit facilities is selected for sale by a lender; tentative portfolio is obtained by the collateral manager from the lender and stored in a database; column 20, lines 28-40, the database model for each credit facility includes the balance sheet data for the borrower as of the last day of the applicable fiscal period: a field for the accounts receivable of any related parties to the borrower (e.g., parent company, joint venture partner)*);

receiving, by said processor, at least one user-defined rules and/or user-defined policy (*columns 28-30, a plurality user-defined rules and user-defined policies are create in the plurality of data fields by the collateral manager*);

enforcing, by said processor, said at least one user-defined rule and/or said at least one user-defined policy (*columns 28-30, a plurality user-defined rules and user-defined policies are create in the plurality of data fields by the collateral manager*);

providing, by said processor, automated credit decisioning for at least one customer based on said at least one user-defined rule and/or said at least one user-defined policy (*column 31, line 35-column 32, line 50, a determination may be made from the final equity kicker information in the cash flow grid for each loan and for each monthly activity record*);

providing, by said processor, days sales outstanding for said at least one customer in said portfolio (*column 18, lines 1-15, the database model includes a field for the borrower's net sales/revenues for the period*); and

providing, by said processor, risk information for said at least one customer in said portfolio (*column 18, lines 25-65, the database model includes a field for total expense, a field for interest expense, a field for interest income, a field for currency gain or loss, etc.*).

Regarding to claim 16, Tilton further discloses segmenting said portfolio by a selected variable to uncover risks and opportunities in said portfolio (*column 12, lines 55-67, in order to calculate the loan valuation for each credit facility in the portfolio, various decision variables may be determined by the collateral manager*).

Regarding to claim 17, Tilton further discloses wherein said risk information includes a total risk exposure within a corporate entity associated with said at least one customer (*column 20, lines 28-42, a field is used to store a computation of total current assets as the sum of cash and cash equivalents, accounts receivable and related accounts receivable, other current assets and related party current assets*).

Regarding to claim 18, Tilton further discloses wherein said quality assurance process includes at least one step selected from the group consisting of: entity matching, applying unique corporate identifiers, and/or applying predictive indicators (*column 10, lines 55, applying unique corporate identifiers, an industry code identifying the industry occupied by the business or operations for each borrower*).

Regarding to claims 19-21, Tilton further discloses providing, by said processor, a financial profile of said at least one customer in said portfolio, wherein said financial profile includes how said at least one customer pays other companies, financial profile includes a financial statement for said at least one customer (*column 17, line 45-column 21, line 60, database model include Borrower financial information*).

Regarding to claim 22, Tilton further discloses disclose receiving, by said processor, a change in a financial statement for said at least one customer; and assessing, by said processor, a risk change in said portfolio based on said change in said financial policy according to said at least one user-defined rule and at least one user-defined policy (*column 20, lines 18-27, the database model for the credit facility also include a field for an identification of the auditor that audited the financial statements of the borrower*).

Regarding to claim 23, Tilton further discloses wherein said policy is selected from the group consisting of: a credit limit policy, a score policy, an exception policy, a collection policy, a selling term policy, and a financial selection policy (*column 10, lines 18-20, a score policy*).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said

subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tilton, U.S. Patent No. 6,654,727.

Regarding to claims 8-10, Tilton does not disclose a country logic component that determines a base language and a base currency for said customer in said portfolio; a database access component that retrieves country specific data from a plurality of systems, wherein said plurality of systems are selected from the group consisting of: European Office System, Canada Bilingual Office System, United States Advanced Office Systems, Nordic, and Asian Pacific Latin America. However, determining a base language and a base currency for customer and retrieving country specific data from such a plurality of system above are well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Tilton's adopt the well known features above for the purpose of providing more convenient when processing customer's account information.

8.   Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tilton, U.S. Patent No. 6,654,727, in view of Guthner et al (hereinafter Guthner), U.S. Patent Application Publication No. 2005/0262013.

Regarding to claim 24, Tilton does not disclose providing, by said processor, financial data about said portfolio in a selected currency providing a currency conversion feature; providing, by said processor, a local currency for said at least one customer in said portfolio; and assigning, by said processor, a default currency for said

at least one customer in said portfolio. However, Guthner discloses providing, by said

processor, financial data about said portfolio in a selected currency and providing, by

said processor, a currency conversion feature; providing a local currency for said at

least one customer in said portfolio; and assigning, by said processor, a default

currency for said at least one customer in said portfolio (*paragraphs [0119], [0121], the*

provider of CRI will present local currency to the project or central bank of the host

country for conversion to the appropriate currency). Therefore, it would have been

obvious to one with ordinary skill in the art at the time the invention was made to modify

Tilton's adopt the teaching of Guthner above, for the purpose of providing more

convenient to the customer when accessing customer's account information.

Conclusion

9.   Claims **1-10 and 15-24** are rejected.

10.   The prior arts made of record and not relied upon are considered pertinent to

applicant's disclosure:

        Smith et al (US 6,850,727) disclose methods and apparatus for collateral risk

monitoring.

        Packwood (US 7,006,992) discloses risk assessment and management system.

        deGroeve et al (US 7,206,768) disclose electronic multiparty accounts

receivable and account payable system.

        Macbeath et al (US 2004/0111346) disclose methods for automating financial

transactions.

Eder (US 2004/0215551) discloses value and risk management system for multi-enterprise organization.

McLean et al (US 2003/0014290) disclose data processing system and method for analysis of financial and non-financial value creation and value realization performance of a business enterprise.

11.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Friday from 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

12.   Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

(703) 273-8300 (for formal communication intended for entry),

or

(571) 273-6796 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nga B. Nguyen/
Primary Examiner, Art Unit 3684

May 20, 2010